

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ESPERION THERAPEUTICS, INC.

Plaintiff,

v.

DAIICHI SANKYO EUROPE GMBH.,

Defendant.

Civil Action No: 1:23-cv-02568

**[PROPOSED] ORDER TO SHOW
CAUSE FOR SERVICE OF PROCESS
BY EMAIL ON DEFENDANT**

Upon the declarations of Jordan D. Weiss and Sheldon Koenig, and the accompanying Memorandum of Law in Support of Order to Show Cause for Service of Process by Email on Defendant, filed herewith this 3rd day of April 2023, it is

ORDERED, that the defendant, Daiichi Sankyo Europe GmbH (“DSE”), or its attorneys, show cause before the Honorable Edgardo Ramos, United States District Judge for the Southern District of New York, at the Courthouse located at 40 Foley Square, Courtroom 619, in the City, County and State of New York, on _____, 2023 at _____ am/pm, or as soon thereafter as counsel can be heard, why an order should not be entered pursuant to Fed. R. Civ. P. 4(f)(3), ordering that plaintiff Esperion Therapeutics, Inc.’s service of process of its Declaratory Judgment action in the above-captioned matter (*see* Dkt. Nos. 1-5) upon DSE via email in English shall be deemed good and sufficient service thereof; and it is further

ORDERED that service of a copy of this order upon DSE’s counsel, David Hille and Isaac Glassman of White & Case LLP, 1221 Avenue of the Americas, New York, NY 10020, T: 212-

819-8200, by electronic mail at dhille@whitecase.com and isaac.glassman@whitecase.com, on or before _____, 2023, shall be deemed good and sufficient service thereof.

Dated: _____, 2023
New York, New York

Hon. Edgardo Ramos, United States District Judge